

5/4/05

U. S. BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA

ROANOKE CALENDAR - MAY 4, 2005

(The Honorable Ross W. Krumm Presiding)

**Hearings by Video Conference**

(Start \_\_\_\_\_ Recess \_\_\_\_\_ / \_\_\_\_\_ Stop \_\_\_\_\_ Trials: \_\_\_\_\_ Proceedings: \_\_\_\_\_)

Attys: Debtors: Case Nos.: Trustees:

**3:00 P.M.**

M. Giles LINDA BROWN-CH7 7-03-04808 Krippendorf  
Trustee's Objection to Debtor's Claim of Exemptions 13, 14  
(Response by Debtor) (Continued from 11/10/04 & 2/10; order entered 2/22 #43)

McLean PAMELA T. JOHNSON 04-3685 Vogel/GR  
AP 05-07021: Det. Dischargeability  
Michael A & Patrice L. Bostic, et als (Lori Thompson/A.Carter Magee) v. Debtor  
Amended Complaint filed 2/18 #8; Amended Summons Issued #10 - contd fr 4/7

Pro se FRANK FARRIER 04-3653 Vogel/NS  
AP 05-07022: Det. Dischargeability  
Michael A & Patrice L. Bostic, et als (Lori Thompson/A.Carter Magee) v. Debtor  
Amended Complaint filed 2/18 #6; Amended Summons Issued #8 - contd fr 4/7  
-Answer to Amended Complaint filed 3/25; # 10 (Farrier, pro se)  
  
AP 05-07025: Det Dischargeability  
Donald Church (Huebschman) v. Debtor  
-Answer filed 4/1; # 7

McLean TED JOHNSON 04-3654 Vogel/NS  
AP 05-07023: Det. Dischargeability - contd from 4/7  
Michael A & Patrice L. Bostic, et als (Lori Thompson/A.Carter Magee) v. Debtor  
Amended Complaint filed 2/18 #6; Amended Summons Issued #8

AP 05-07024: Det dischargeability:  
Donald Church (Huebschman) v. Debtor

Giles	JOSEPH LEE III	04-2269	McLean
	AP 04-7144: Obj to or Revoke Discharge; <i>ptc contd from 3/10</i> U. S. Trustee (J.Guzinski) v. debtor <u>Answer filed 1/31; # 8, Ord of 1/25 extended time to file answer to 1/31.</u>		
R. Foster	STRUCTURE INVESTMENTS, INC.	04-03960-WSR	Krippendo/SJ
	Motion for Relief from Stay w/BBT filed 12/20 #12 (Smith) Recusal order entered 12/23 #15 - <i>contd from 2/10 &amp; 3/10</i>  Motion to Sell Free & Clear of Liens by Trustee (Krippendorf) v.Debtor, BB&T ( ) Substitute Trustee Melchionna, Terry Day Ammar & Black ( ); Nouveau Properties ( )& City of Roanoke ( ) filed 4/13; # 26, 27 <i>–noticed in error at 10:00; to be re-noticed for 3:00 p.m.</i>		
M Giles	PHYLLIS GILBERT	02-2076	Connelly/SL
	Motion for Relief - filed 1/11; #36, 37, 38 by Vanderbilt Mortgage & Finance (Maxwell/King) <u>Response filed by debtor 1/18; #40</u> <u>Response (amended) filed by debtor 1/21; #41</u> <i>–contd from 2/10 &amp; 3/10</i> <b>5/4/05 - order entered withdrawing motion</b>		
M Hart	PATRICIA EVERSOLE	04-75031	Connelly/AF
	Motion for Relief - filed 3/28; # 32, 33, 34 by U S Bank NA (Sasser)( <u>Answer filed 3/29; # 31</u>		
M Hart	STEPHON HICKMAN	05-70095	Connelly/NS
	Motion for <u>Co-Debtor Relief</u> ; filed 3/9; Toyota Motor Credit Corp (Eason) #13, Pre Hrg ord entered 3/30; #31  Motion for Relief <u>from Co-Debtor Stay</u> , filed by Chase Home Finance LLC_ filed 3/24; # 21, 22, 23 <b>–No Objs filed; Order Self-executing</b>  Motion for Relief - filed 3/24; # 18, 19, 20, 23 filed by Chase Home Finance LLC* (Wood) – <i>contd from 4/13</i> <u>Answer filed 3/29; # 29</u> <b>5/3/05 - Consent order circulating</b>		

Palmer	WILLIAM & DEBORAH SMITH	04-74216	Connelly/LM
	Debtors' Objection to Claim #3 of GMAC Mortgage Corp filed 3/17; #86		
Shelor	MICHAEL & LISA MCGRAW	04-75134	Vogel/AF
	Motion of U. S. Trustee for Dismissal for Substantial Abuse - preliminary hearing, filed 3/18; # 10, 11,12, 13		
1.			
Claytor	CAROLYN FILSON	05-70634	Krippend/AF
	Motion for Relief - filed 3/28; # 8, 9, 10 ( <i>order extending stay entered 4/5; #12</i> ) <b><i>5/4/05 - Agreed order entered</i></b>		
Janney	JOSEPH & SHELIA WITCHER	04-74491	Connelly/NS
	Motion for Relief <u>from Co-Debtor Stay</u> , filed 4/1; # 27, 28, by Wells Fargo Financial Acceptance (Goldstein) <b><i>-No response filed, Order/Notice self-executing.</i></b>		
M Hart	GEORGE CUBITT	04-1017	Connelly/LM
	Notice of Hearing on Motion for Relief - filed at #35 - (parties unable to tender consent order as previously indicated); filed 3/25, # 59 (H. Bierman) <b><i>-Consent ord modifying stay entered</i></b>		
Delafield	ROBBIE HALL	05-70892	Allen/NS
	Motion for Relief - filed 4/4; # 7, 8, 9, 10 bt Chase Home Finance LLC (Rosado) Re: 5405 Carolyn Circle <b><i>5/3/05 - Order entered granting relief</i></b>		
Palmer	JAMES & JANET STOKES	04-2776	Connelly/SL
	Motion for Relief - filed 4/5; # 20, 21, 22 by National city Mortgage (Wood) <u>Answer to Motion filed 4/1; # 19</u> <b><i>-note: mod plan filed 4/6; set for 6/15 @ 9</i></b>		

RWK 5/4/05 - 3:00 pm

Gillis	DENNIS BRAMMER	05-70761	McLean/SJ
	Motion for Relief - filed 4/5; # 5, 6, by Vanderbilt Mortgage & Finance (Maxwell) <b>-Order of 4/8 granted relief</b>		
Shankman	JACKIE & ROBIN AKERS	05-70244	McLean/JJ
	Motion for Relief - filed 4/6; # 20, 21, 23 by GMAC Mortgage (McQuiddy) <i>Movant certification filed 4/11; # 27</i>		
M Hart	GREGORY CHAPPELL	04-2218	Connelly/SO
	Motion for Relief - filed 4/5; # 26, 27, 28 by Green Tree Servicing LLC fka Conseco Finance Corp (McQuiddy) <i>Movant certification filed 4/6; # 29</i>		
M Hart	THOMAS & JEANNETTE COLLISI	04-2498	Connelly/NS
	Motion for Relief <u>from Co-Debtor Stay, filed 4/7; #47, 50</u> by Member One Federal Credit Union (J Patterson) <b>-No response, order/notice self-executing</b>  Motion for Relief - filed 4/7; # 48, 49, 51 by Member One Federal Credit Union (J Patterson) <i>movant certificatioin #54;</i> <u>Response to Motion by Debtors filed 4/14; # 55</u>		
M Giles	BRENDA PETERS	05-71127	Connelly/VS
	Motion for Relief - filed 4/6; # 10, 11, 12 by GMAC Mortgage (McQuiddy) <i>Movant certification filed 4/7; # 13</i>		
M Hart	DEBRA ROBERTSON	04-74244	Connelly/JJ
	Motion to Vacate Order Dismissing Case/Motion to Reinstate filed 3/21; # 32, 33, 34 <i>-mod plan filed 3/23, # 33 if case is reinstated will need to be set for hrg</i> <i>Trustee Showcause Mots # 18 &amp; #20 contd from 4/13 pending hrg on mot to vacate</i> <b>Case reinstated on 4/28/05; Order and Notice of 5/4/05 sets Amended plan on 7/6/05 @9AM</b>		
Shankman	DANIEL & TANGELA HALL	04-75158	Krippend/SJ
	Motion to Extend time within which to file Objections to Exemptions or Complaints to determine dischargeability of certain debts and/or deny discharge Filed 2/25; # 9, 10 - <i>contd from 4/7</i> <b>-ORDER of 4/15 withdrew motion</b>		

Shankman	DONNA FERGUSON	04-75154	Krippend/SJ
	Motion to Extend time within which to file Objections to Exemptions or Complaints to determine dischargeability of certain debts and/or deny discharge Filed 2/25; # 6, 7 - <i>contd from 4/7</i> <b>-ORDER of 4/14 withdrew motion</b>		
Krippend.	JOSE GAYO	7-04-03353	Connelly/SJ
	Amended Plan filed 12/28; #34 w/ <i>Certif of Service</i> #38 <u>Further Mod Plan filed 2/1; Ntc 2/3; #43,46. 49</u> Trustee showcause 10/18 #31 <i>contd 12/15, 1/12,3/16 &amp; 4/7</i>		
	Motion for Relief - filed 2/28; # 50, 53, 54,56, 57 by HomeComings Financial Network as servicing agent for the Beneficiary of Record (McQuiddy) <i>-movant certification filed 3/7; # 60</i> <u>Response filed 3/14; # 62 - contd from 4/7</u>		
	Motion for Relief <u>from Co-Debtor Stay</u> filed 2/28; by Homecomings Financial Network, (McQuiddy) # 51, 55 <u>Response to Co-Debtor stay file 3/14; # 63 - contd from 4/7</u>		
Shankman	EDWARD & ANNETTE NESTER	04-75155	Krippend/SJ
	Motion to extend time in which to file Objections to Exemptions or Complaints re Discharge/Dischargeability or to Deny Discharge, filed 3/1; # 9, 10 - <i>contd fr 4/7</i>		
M. Hart	TONYA BROWN	03-02891	Krippendorf/NS
	Motion for Relief filed 3/8/05 by Chase Home Finance LLC (Wood); #56, #57 <b>- Consent Ord of 4/29 granted relief</b>		
M Hart	RICHARD PEREZ	04-74196	Connelly/NS
	Motion for Relief and Co-Debtor Relief: filed by EMC Mortgage Corp (Sasser/Boylan) On 1/26; #34, 37 <u>Response filed 1/25; #33 - contd from 3/10 &amp; 4/7</u> <b>-ORDER granting relief entered 4/19</b>		

RWK 5/4/05 - 3:00 pm

R Hart	JAMES & MARY HALE	02-1327	Connelly/VS
	Motion for Relief (7059 Starlight Lane, Boones Mill, VA) filed by Chase Home Finance LLC (Rosado/Boylan/Scott) filed 1/26; # 44, 45, 46 <u>Response of Debtors filed 2/3; # 48 - contd from 2/16 &amp; 3/10 &amp; 4/7 5/3/2005; Motion to be withdrawn and order in CM Orders</u>		
Olinger (deceased)	WALTER & AMY DAVIS	02-590	Connelly/NS
	Motion for Relief - filed 2/17; # 38, 39, 40, 41 by Washington Mutual Bank FA (Stewart/Scott) <u>Answer filed by debtor by counsel 2/22 #42 - contd from 3/10 &amp; 4/7</u>		
M Hart	RANDALL MANNING	04-74302	Connelly/S
	Motion for Relief - filed 3/16; # 24, 25 by MLI Capital Group Inc(Sasser) Answer filed 3/17 #27 - <i>contd from 4/7</i> <b>-ORDER dismissing CASE entered 4/14/05</b>		
M Hart	ANNETTE SIMMONS	04-905	Connelly/S
	Motion of Trustee to Modify Plan or in the Alternative to Dismiss Case filed 3/8; #36, 37, 38 - <i>contd from 4/12</i> <b>Amended Plan #1 filed 4/19; #40, 41 set 06/15/05 at 9 a.m.</b>		
Vita	CYNDY EUBANK	04-75135	Vogel/AF
	Motion for Relief - filed 1/10; #7, 8, 9, by National City Mortgage Co (Sasser/Boylan) <u>Response of Trustee filed 1/19; #13 (Vogel)</u> <i>-contd from 2/10 &amp; 3/10 &amp; 4/11</i>		
Janney	JUSTIN & KRYSTAL LARGEN	05-70149	Connelly/JJ
	Motion for Relief - filed 4/11; # 19, 20 (444 Hidden Hill Lane, Boones Mill VA) By Wells Fargo Bank (Bierman) <u>Response filed 4/20; # 34</u> <b>5/3/05 - fax notification from Bateman- consent order modifying the stay with conditions to be submitted within 15 days</b>		

RWK 5/4/05 - 3:00 pm

Shankman	EARL & KAREN HAGEE	05-70650	Krippend/JJ
	Motion for Relief - filed 4/6; # 10, 11, 12, 13 by Select Portfolio Servicing (Hildebeidel) <b><i>Order of 4/12 dismissed Motion</i></b>		
Palmer	CHRISTOPHER MILLER	04-74733	Creasy/AF
	Motion for Relief - filed 4/7; # 72, 73, 74, 75 by Select Portfolio Servicing (Hildebeidel) <b><i>5/4/05; Order entered granting relief</i></b>		
Pro se	DAVE & KIMBERLY THACKER	05-70735	Connelly/AF
	Motion for Relief Nunc Pro Tunc filed 4/8 with Movant Certification <u>and</u> <u>Motion to Rescind Entry of Order Dismissing Case entered 3/29; # 15</u> Filed 4/8 by Chase Home Finance LLC (Stephen Wood) #17, 18		
Shankman	LUTHER & MILDRED LONG	04-737	Connelly/AF
	Motion for Relief - filed 3/14; # 38, 39, 40, 41 by Homeq Servicing Corp fka TMS Mortgage Inc (Stewart/Scott) ) <u>Answer filed 3/16; # 42 by debtors</u> <i>Contd from 4/13</i>		
Spencer	TOMMY & STACY MUSSELMAN	04-74663	Connelly/SJ
	Plan filed 11/18; #4, 5 - <i>contd from 2/16 &amp; 3/16</i> Trustee Report & Showcause filed 11/18; #12 - <i>contd from 3/16</i>  Valuation: Bank One DE (Desktop & Notebook Computers; \$700) filed 2/7; #13; #14 — <i>contd from 3/16 for service</i> ; refiled motion & Notice 4/1 # 22, 23 <b><i>5/4/05 - Default order in CM orders</i></b> <b><i>5/4/05 - Order entered granting</i></b>		
M Giles	CARLOS GONZALEZ	04-74331	Allen/AF
	Motion for Relief - filed 4/11; # 17, 18, 19 by Ford Motor Credit Co (Eason) Response filed by debtor by counsel 4/19; #22		

RWK 5/4/05 - 3:00 pm

M Giles	DEBORAH BASTIAN	04-03701	Connelly/S
	<i>–Note: Motion for Relief from Stay #59 is set for 5/11 @ 9:00 to be heard w/ confirmation matters</i>		
	Motion for Relief from Co-Debtor Stay filed 4/1; # 61, 63 by Ford Motor Credit (Eason)		
Bowman	RONALD PRICE	04-74795	Krippend/NS
	Motion for Relief - filed 4/15; # 23, 24, by National City Bank (Eason)		
	5/2/2005 - Movant's certification		
	<i>5/3/2005 - default order in CM Orders</i>		
Shankman	LAWRENCE & LESLIE SEXTON	05-70851	Allen/JJ
	Motion for Relief - filed 4/5; #6, 7, 8, by Chase Home Mortgage ( Wood)		
	<i>5/3/2005 Agreed order is circulating</i>		
M Giles	PHILIP & MARY POLETTI	05-70821	McLean/SO
	Motion for Relief - filed 3/30; # 12, 13, 14, Wachovia Bank (Goldstein)		
	<i>–Order of 4/1 #15 Recusal from RWK to WFS ; hrg set 5/9 @ 2:00 before WFS</i>		
	<i>Order entered 5/2/2005 grants Motion for Relief - hearing cancelled</i>		
M Giles	LARRY FEASEL	04-3458	Krippend/SJ
	Motion for Relief <b>FILED IN CLOSED CASE</b> by Chase Manhattan Mortgage (Sasser)		
	On 4/11; # 21 (#22 Ord to movant re: case must be re-opened to proceed)		
	<u>Response of Debtor's counsel filed on 4/11; # 23</u>		
	<i>–Failure to comply with 10-day provision of deficiency order, Matter dismissed.</i>		